

REMARKS

Claim 1 has been amended to include the subject matter of claim 2. Claim 2 was rejected on the combination of Hornchek in view of Higashi. The office action, on page 5, indicates that Higashi teaches the S-shaped spring contacts.

On page 6, the office action indicates that the “adapted to” language is seen as an intended use of the claimed structure and is given little patentable weight. To the contrary, both the Federal Circuit and the Court of Customs and Patent Appeals have indicated that the “adapted to” language should be read to cover the corresponding structure to achieve the recited function:

For example, paragraph two of claim 31 calls for “a pair of sleeves ... each sleeve of said pair adapted to be fitted over the insulating jacket of one of said cables.” Rather than being a mere direction of activities to take place in the future, this language imparts a structural limitation to the sleeve. Each sleeve is so structured or dimensioned that it can be fitted over the insulating jacket of a cable.

See *In re Venezia*, 189 U.S.P.Q. 149 (C.C.P.A. 1976), followed in *Pac-Tec, Inc. v. Amerace Corp.*, 14 U.S.P.Q.2d 1871 (Fed. Cir. 1990). The Board of Appeals decision cited in the office action did not address a claim including “adapted to.”

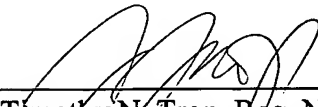
The cited reference to Higashi does not show wiping contact. To “wipe” means to “rub.” See attached dictionary definition from Merriam Webster’s Collegiate Dictionary, 10th Edition. There is no rubbing contact in the cited reference. Instead, the ends of the elements 20 simply poke the lands 31. In contrast, with the claimed invention and the curved solder balls, a wiping action occurs where the contact rubs across the face of the solder ball. A result of this wiping action may be better electrical connections.

Therefore, claim 1, as amended, should be in condition for allowance as should claim 11.

The objections to form have been cured by appropriate amendments.

Respectfully submitted,

Date: August 4, 2005



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